

TIPP CITY COUNCIL MEETING

TIPP CITY, MIAMI COUNTY, OHIO

JUNE 1, 2009

Roll Call

President Patrick A. Hale called to order the regular meeting of the Tipp City Council at 7:30 p.m. Roll call showed the following Councilmembers present: William D. Beagle, George H. Lovett, President Patrick A. Hale, Dolores Gillis, Vickie Blakey, Mayor Tim Evans, and John E. Kessler.

Others in attendance: City Manager Jon Crusey, Law Director Joseph P. Moore, Assistant City Manager Bradley Vath, City Engineer Scott Vagedes, Fire Chief Steve Kessler, Assistant Utilities Director Christy Butera, Utilities Director Mo Eichman, Police Chief Tom Davidson, Utility Billing Supervisor Stacie Brown, *Dayton Daily News* reporter Nancy Bowman, and Clerk of Council Cathy Ross.

Guests signing the register included: Steven Chaney and Mike McFarland.

Invocation and Pledge of Allegiance

Pastor Donna Gibson from the Victory Assembly of God delivered the invocation and President Hale led the Pledge of Allegiance.

Approval of Agenda

President Hale made a motion to approve the agenda, seconded by Mr. Kessler and unanimously approved.

Adoption of Minutes

Mr. Lovett moved, seconded by Mrs. Gillis, to approve the minutes of the May 18, 2009 Pre-Meeting Study Session. The motion carried 7-0.

Mrs. Gillis moved, seconded by Mr. Beagle, to approve the minutes of the May 18, 2009 Meeting. The motion carried 7-0.

Presentations, Proclamations, and Awards

There were none.

Ordinance (Second Reading)

Ordinance 14-09
Industrial Sewer Use Regulations

The following ordinances were presented to City Council for adoption.

An ordinance amending Sections §54.02, §54.10, §54.13, §54.39, §54.51, §54.52, §54.56 & §54.67 of the Tipp City, Ohio Code of Ordinances to revise the Industrial Sewer Use Regulation.

Clerk of Council Summary: This update was discussed with Council during their May 4th study session and amends and updates existing industrial pretreatment ordinances to make existing regulations more clear.

City Manager Report: The Municipal Industrial Pretreatment Program (MIPP) is mandated under the federal Clean Water Act. Tri-Cities North Regional Wastewater Authority (TCA) is responsible for implementing this program as part of its National Pollution Discharge Elimination System (NPDES) permit. This ordinance amends and updates existing industrial pretreatment

ordinances to make existing regulations more clear. This update was discussed during Council's May 4th study session with David Heckler, TCA General Manager, and Holly Weatherhead of Veolia Water North America, TCA Plant Manager.

There being no further discussion, Mr. Lovett sponsored this ordinance and moved for its adoption, seconded by Mrs. Gillis. The motion carried with a 7-0 vote. Ordinance 14-09 was declared passed and President Hale affixed his signature in witness thereto.

Ordinance 15-09
Supplemental
Appropriations

An ordinance supplementing the appropriations in Ordinance 48-08.

Clerk of Council Summary: This ordinance authorizes an increase of appropriations for various funds of the City to supplement the 2009 fiscal year budget in the total amount of \$811,326.

City Manager Report: The adoption of this resolution would authorize additional appropriations for FY 2009 in the amount of \$811,326, as follows: 1) \$200 - Street Assessment Bond Retirement Fund to account for the fees charged by the County Auditor for the collection of this assessment. This additional amount has already been collected by the City from affected property owners. 2) \$290,316 - Capital Improvement Reserve Fund to account for the stimulus funding being received from ODOT for the repaving of Evanston Road. 100% of the cost of this project will be borne by ODOT so long as the project does not exceed the \$290,316 grant amount; 3) \$520,810 – Water Fund - to account for an OPCW grant for Clean Ohio Conservation Program Funds to be used for the acquisition of 130 acres of land to be preserved and used for well field protection purposes. The State is contributing \$385,399 with an additional \$90,400 coming from a private donor. The City will contribute \$15,011 towards this project with another \$30,000 from in-kind contributions (easement).

There being no further discussion, Mayor Evans sponsored this ordinance and moved for its adoption, seconded by Mr. Beagle. The motion carried with a 7-0 vote. Ordinance 15-09 was declared passed and President Hale affixed his signature in witness thereto.

Resolutions
(One Reading Required)
Resolution 24-09
Traffic Signal
Interconnect Project

The following resolutions were presented to City Council for adoption.

A resolution authorizing the City Manager to enter into a contract with Perram Electric, Inc. of Wadsworth, Ohio for the Traffic Signal Interconnect project in the amount of \$813,790.

Clerk of Council Summary: Four bids were received for this project with Perram Electric as the low bidder.

City Manager Report - The adoption of this resolution would authorize the City Manager to enter into a contract with Perram Electric of Wadsworth, Ohio for the Traffic Signal Interconnect Project at a cost of \$813,790. Financing of this project is provided via a \$458,217 CMAQ grant, a \$250,000 OPWC grant, and \$264,533 from the Electric Fund. This project involves replacing 8 intersections along Main Street (Hyatt to 25-A) with new LED traffic signals with decorative mast arms, interconnecting them with fiber for signal timing

coordination, a camera at I-75, and a central computer control system at the Government Center.

Bids for this project were previously received in October 2008 and Council adopted Resolution 33-08 awarding the bid to Capital Electric. That resolution was subsequently rescinded and all bids were rejected in January 2009 because ODOT and Federal Highway Administration determined that Capital's bid did not comply with the bid specifications.

There being no further discussion, Mayor Evans sponsored this resolution and moved for its adoption, seconded by Mr. Lovett. The motion carried with a 7-0 vote. Resolution 24-09 was declared passed and President Hale affixed his signature in witness thereto.

Resolution 25-09
FOP Contract

A resolution authorizing the City Manager of the City of Tipp City, Ohio to enter into a collective bargaining agreement on behalf of the City with the Tipp City Patrolmen's Group, Fraternal Order of Police of Ohio, Ohio Labor Council, Inc., dealing with matters covering wages, benefits, hours, terms and conditions of employment of the City of Tipp City, Ohio Patrol Division within the Tipp City Police Division.

Clerk of Council Summary: The adoption of this resolution would authorize the City Manager to enter into a Collective Bargaining Agreement with the Tipp City Police Patrolmen's Group for a three-year period from April 21, 2009 to April 20, 2012.

City Manager Report: The adoption of this resolution would authorize the City Manager to enter into a Collective Bargaining Agreement (CBA) with the Tipp City Police Patrolmen's Group, Fraternal Order of Police of Ohio, Ohio Labor Council, Inc for a three-year period from April 21, 2009 to April 20, 2012. The proposed agreement calls for wage increases of 2.5% in 2009; 2.5% in 2010 and 3.0% in 2011. The FOP has voted on and approved the proposed CBA.

There being no further discussion, Mr. Beagle sponsored this resolution and moved for its adoption, seconded by Mrs. Gillis. The motion carried with a 7-0 vote. Resolution 25-09 was declared passed and President Hale affixed his signature in witness thereto.

Resolution 26-09
Fireworks

A resolution authorizing the City Manager to enter into a contract with Monroe Township, Miami County, Ohio to cooperate on the annual Independence Day Fireworks Program.

Clerk of Council Summary: The City and Township have jointly sponsored the 4th of July fireworks display for numerous years, this resolution continues the tradition under the same terms and conditions.

City Manager Report: The adoption of this resolution would authorize the City Manager to enter into a contract with Monroe Township to share in the cost of the annual Independence Day fireworks. The total cost of the fireworks is \$15,000 with the City contributing \$9,000 and the Township contributing \$6,000.

There being no further discussion, President Hale sponsored this

Resolution 27-09
Meijer Agreement

resolution and moved for its adoption, seconded by Mr. Lovett. The motion carried with a 7-0 vote. Resolution 26-09 was declared passed and President Hale affixed his signature in witness thereto.

A resolution authorizing and directing the City Manager to enter into an Interruptible Load for Reliability Services Agreement with Meijer.

Clerk of Council Summary: This resolution revises the previous agreement to meet new regulations.

City Manager Report: At your April 16, 2009 meeting City Council adopted Resolution 18-09 authorizing the City Manager to enter into an Interruptible Load for Reliability Agreement with Meijer. However, during ensuing negotiations with Meijer, revisions to the agreement were made that necessitate City Council re-authorizing the agreement in its current form. This agreement would compensate Meijer for the back-up generation capacity that they have available. This back-up generation source may be called upon up to 10 times per planning year (June 1 through May 31). The current credit is \$3.50/kw, of which the City passes along \$3.25/kw to the customer and retains \$0.25/kw. This agreement provides the customer with a source of revenue for a back-up generator that is necessary for their business operations and also helps to reduce the City's electric expenses.

There being no further discussion, Mr. Lovett sponsored this resolution and moved for its adoption, seconded by Mrs. Blakey. The motion carried with a 7-0 vote. Resolution 27-09 was declared passed and President Hale affixed his signature in witness thereto.

Motions

Mrs. Gillis made a motion to approve a license agreement with the Masons for a flag pole in the right-of-way on East Main Street. Motion was seconded by Mayor Evans and carried with a 7-0 vote.

Citizen Comments

Mr. Mike McFarland, 921 St. Leonard's Lane, complimented Council for allowing the 4-way stop at Bellaire and Arapaho and noted that he had seen some close calls in that area. Mr. McFarland also requested that the City move two trees at Manchester and Hyatt as he believes the trees are too close to the intersection and make it difficult to see when pulling out.

Councilmember
Comments

President Hale stated that the Tree Board is sponsoring an event at Tipp City Bob Evans on Saturday, June 6th and Sunday June 7th whereby the Tree Board will receive 15% of sales to be used to build new welcome boards at the entrance to the City. Fliers are available at the City Building and must be presented to receive the donation. President Hale also informed Council that he would be attending a meeting of the Miami County Council where the date for Beggar's night for 2009 will be decided. He requested input from Councilmembers. Council discussed various dates including Thursday, October 29th and Saturday, October 31st in both the afternoon and the evening. Council requested that all of Miami County recognize Beggar's night at the same time.

Mayor Evans thanked residents for participating in the Memorial Day events at the cemetery and the Veteran's Memorial Park and thanked those who gave the ultimate sacrifice for their country. He encouraged residents to come to Harrison's Restaurant on Thursday, June 4th as a send off for his son

and his friend who will be doing a cross-country bike trip to raise funds for the American Brain Tumor Association. Harrison's will be donating 10% of food sales to this charity. Mayor Evans also invited the public to attend the ribbon cutting on Thursday at 5 p.m. at the new Holiday Inn Express.

Mrs. Gillis reminded everyone that the Troy Strawberry Festival will be this coming weekend and the Tipp City Farmer's Market begins on June 13th.

Mr. Beagle reported that he attended the Tipp Monroe Community Services Board meeting, the Joint Economic Development Committee, and the DARE Board meeting. DARE graduated 197 students this year and included 8th graders for the first time that learned about the dangers of prescription medications. Mr. Beagle noted that Officer Dan Rittenhouse will be the District Representative for District #4 (a 12 county region) of the DARE Association of Ohio (which is the executive board for all of Ohio's DARE programs). Mr. Beagle added that he was the proud owner of the Officer Dan Rittenhouse Collector's Card, but that Officer Rittenhouse refused to sign autographs.

City Manager Comments

City Manager Crusey reported that income tax collections are down 9.15% for the month of May, and are down 4.2% for the year.

Adjournment

President Hale noted that following the meeting Council would be holding a Study Session to discuss a report from Hometown Solutions Organizational Check-Up, the Waste Management contract renewal, and leaf pick-up.

Mayor Evans made a motion to adjourn the meeting at 8:00 p.m. Motion was seconded by Mr. Beagle and unanimously approved.

Patrick A. Hale, President of Council

Attest: _____
Cathy Ross, Clerk of Council

TIPP CITY COUNCIL STUDY SESSION

TIPP CITY, MIAMI COUNTY, OHIO

JUNE 1, 2009

Study Session

City Manager Jon Crusey opened the Study Session at 8:05 p.m. on this date.

Roll Call

Council Members in attendance included: William D. Beagle, George H. Lovett, President Patrick A. Hale, John E. Kessler, Dolores Gillis, Mayor Evans, and Vickie Blakey. Others in attendance included: Assistant City Manager Bradley Vath, City Engineer Scott Vagedes, Utilities Director Mo Eichman, Assistant Utilities Director Christy Butera, Utility Billing Supervisor Stacie Brown, and Clerk of Council Cathy Ross.

Guests signing the register: Mike McFarland

Discussion – Hometown Connections

Assistant Utilities Director Christy Butera shared the attached Powerpoint presentation regarding the organizational check-up conducted by Hometown Connections. Mrs. Butera noted that AMP-Ohio paid ½ of the cost of this audit. Mr. Eichman added that this is the first time this study has been completed in Ohio and added that this is why AMP-Ohio wanted to attend and why they paid ½ of the cost.

Mayor Evans stated that he is extremely concerned with a computer glitch that occurred which resulted in a resident's utilities being shut down even though they had paid their bill. Mayor Evans stated that he was worried about elderly people or people with health issues whose power may be disconnected due to a computer glitch and questioned whether the 17 day period between the time the resident receives their bill and the power is shut off is enough. Mrs. Brown stated that she has only seen utilities shut off due to a glitch twice in her fourteen years of employment with the City. She also noted that an emergency list is in place of those residents who have a disability and should not have their power disconnected. Mrs. Blakey stated that the information about the emergency list needs to be communicated to residents and suggested that the senior citizen's group be contacted.

Mrs. Blakey stated that she was not aware that the City was spending \$5200 on this Organizational Check-up and wondered if this report was being used as a way to get the service center constructed. Mr. Crusey stated that this was discussed with Council several times and that all Council members received an invitation to attend the meeting. Mrs. Blakey added that she hears criticism about the City spending money on consultants. Mrs. Blakey asked for a status report on the service center. Mr. Vath stated that discussion had occurred about constructing a building next to NAWA building. Mrs. Blakey asked about the old Dolly Toy Building. Mr. Vath reported that this building was rented to Spring Hill/Gardens Alive and updated Council on other vacant buildings around the City.

Leaf Pick-Up

Mr. Crusey reviewed with Council the current disposal system in place for leaves. He noted that the City is able to use the land next to the NAWA plant for approximately 5-6 more years, but that land for the disposal of leaves will need to be purchased in the future. Mr. Crusey informed Council that he

requested a quote from Waste Management for leaf pick-up. Waste Management provided two options: 1) each resident would be charged \$1.15 per month and leaves would be picked-up twice per year; 2) leaf pick-up would occur for 12 weeks during the year at a cost of \$2.60 per month per resident. Mr. Crusey then reviewed two options for the City to do leaf pick-up which would cost the residents between \$.64 per month (direct cost recovery) and \$1.39 per month (full-cost recovery). Mr. Crusey stated that staff recommends the direct cost recovery option so that a plan will be in place for new equipment and the purchase of land for leaf disposal when necessary.

Trash Pick-Up Renewal

Mr. Crusey then reviewed with Council Waste Management's Refuse and Recycling Contract renewal proposal. Council discussed whether trash collection should be re-bid and the cost increase proposed by Waste Management. It was requested that Mr. Crusey ask Waste Management to lower the cost of the yard waste bags to \$1.75. If they are willing to lower this cost, then Mr. Crusey will bring a resolution for Council's approval at an upcoming meeting.

Adjournment

The study session concluded at 9:50 p.m.

Patrick A. Hale, President of Council

Attest: _____
Cathy Ross, Clerk of Council